

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BIG D INDUSTRIES, INC.,)	
)	
Plaintiff,)	
vs.)	Case No. 5:22-cv-00182-F
)	
FRESH PRODUCTS, INC.,)	
)	
Defendant.)	

PLAINTIFF'S FINAL WITNESS LIST

COMES NOW, Plaintiff, Big D Industries, Inc. ("Big D"), by and through its attorneys of record, and pursuant to the Court' Scheduling Order, hereby submits Plaintiff's Final Witness List. In doing so, Plaintiff reserves the right to specifically identify any rebuttal witnesses.

<u>WITNESS</u>	<u>PROJECTED TESTIMONY</u>	<u>MAY OR WILL CALL</u>
Don Lees President Big D Industries, Inc. c/o Ryan Whaley 400 N. Walnut Ave. Oklahoma City, OK 73104	Will provide testimony regarding Big D's planned sale to PLZ Aeroscience, including without limitation, the nature of the discussions, Big D's anticipation that the sale would happen, information provided to PLZ as part of its due diligence, the impact of Fresh Products' patent violation allegations on the planned sale, and Big D's damages	WILL
Eric Chiang Big D Industries, Inc. c/o Ryan Whaley 400 N. Walnut Ave. Oklahoma City, OK 73104	Will provide testimony regarding Big D's planned sale to PLZ Aeroscience, including without limitation, the nature of the discussions, information provided to PLZ as part of its due diligence, and Big D's damages	WILL

<u>WITNESS</u>	<u>PROJECTED TESTIMONY</u>	<u>MAY OR WILL CALL</u>
Greg Bourbon PLZ Aeroscience Corporation	Will provide testimony regarding PLZ Aeroscience's planned acquisition of Big D, including without limitation, the due diligence performed by the company and the impact of the Fresh Products' patent violation allegations on the company's plans	WILL
John Ferring Chairman PLZ Aeroscience Corporation	Will provide testimony regarding PLZ Aeroscience's planned acquisition of Big D, including without limitation, the due diligence performed by the company and the impact of the Fresh Products' patent violation allegations on the company's plans	WILL
Douglas Brown Fresh Products	May provide testimony regarding Fresh Products' patent violation allegations against Big D	MAY
Jeffrey Smith Fresh Products	May provide testimony regarding Fresh Products' patent violation allegations against Big D	MAY
Peter Lipke Chief Executive Officer Vectair Systems	May provide testimony regarding the nature of the urinal screen industry, including general industry knowledge of the potential sale of Big D	MAY
Carl Hubble Quest Specialty	May provide testimony regarding the nature of the urinal screen industry, including general industry knowledge of the potential sale of Big D	MAY
Kevin Bjorkstrom Palmer Fixture	May provide testimony regarding the nature of the urinal screen industry, including general industry knowledge of the potential sale of Big D	MAY
Joe Semler Pearless Marketing	May provide testimony regarding the nature of the urinal screen industry, including general industry knowledge of the potential sale of Big D	MAY

<u>WITNESS</u>	<u>PROJECTED TESTIMONY</u>	<u>MAY OR WILL CALL</u>
Keith Angel Avision Sales Group	May provide testimony regarding the nature of the urinal screen industry, including general industry knowledge of the potential sale of Big D	MAY
Additional witnesses listed by Defendant not otherwise objected to by Plaintiff.		
Additional witnesses necessary for rebuttal.		

s/Patrick R. Pearce, Jr.

Patrick M. Ryan (OBA No. 7864)

Phillip G. Whaley (OBA No. 13371)

Patrick R. Pearce, Jr. (OBA No. 18802)

RYAN WHALEY

400 North Walnut Avenue

Oklahoma City, OK 73104

Telephone: (405) 239-6040

Facsimile: (405) 239-6766

Email: pryan@ryanwhaley.com

pwhaley@ryanwhaley.com

rpearce@ryanwhaley.com

Attorneys for Plaintiff Big D Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2023, I electronically transmitted the attached document to the Clerk of Court using the Electronic Case Filing System for filing. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the ECF System.

s/Patrick R. Pearce, Jr.

Patrick R. Pearce, Jr.